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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,895	12/10/2003	Ernesto Frassinelli	22106-00049-US	5190
30678	7590	03/13/2006		
CONNOLLY BOVE LODGE & HUTZ LLP SUITE 800 1990 M STREET NW WASHINGTON, DC 20036-3425			EXAMINER WELCH, GARY L	
			ART UNIT	PAPER NUMBER
			3765	

DATE MAILED: 03/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/730,895

**Applicant(s)**

FRASSINELLI, ERNESTO

**Examiner**

Gary L. Welch

**Art Unit**

3765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 18 is/are rejected.
- 7) ☒ Claim(s) 6-17 and 19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 03192004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: It is respectfully requested that subject headings (i.e., Summary of the Invention, Brief Description of the Drawings, etc.) be inserted at the appropriate sections of the specification.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by UK Patent Application to Hunt (GB 2,377,631).

Hunt discloses a clothes hanger structure 1 having two arms (4, 5) designed to support a garment and hanging means (7, 8) fixed to the arms. The hanging means (7, 8) comprises a stem 7 fixed in a seat 11 of the structure wherein the seat 11 is provided with means of engagement 13 of at least a portion of the stem. The stem can be positioned in at least two positions, extended and retracted.

With regard to claim 2, the seat 11 is provided at the centerline of the structure 1.

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With regard to claim 3, a portion of the stem 7 comprises at least one expansion 12.

With regard to claim 4, the seat 11 is a hole.

With regard to claim 18, the hanging means 7 is a hook.

4. Claims 1-5 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Taylor et al. (U.S. 2,645,357).

Taylor et al. discloses a clothes hanger structure (Figure 3) having two arms (26, 27) designed to support a garment and hanging means (21, 22) fixed to the arms. The hanging means (21, 22) comprises a stem 21 fixed in a seat (28, 29) of the structure wherein the seat (28, 29) is provided with means of engagement (33, 41) of at least a portion of the stem 21. The stem can be positioned in at least two positions, extended and retracted.

With regard to claim 2, the seat (28, 29) is provided at the centerline of the structure.

With regard to claim 3, a portion of the stem 21 comprises at least one expansion 24.

With regard to claim 4, the seat (28, 29; Figures 6 and 7) is a hole.

With regard to claim 5, the hole is provided with an upper toroidal cavity (i.e., donut shape) and a lower toroidal cavity (Figure 7).

With regard to claim 18, the hanging means (21, 22) is a hook.

5. Claims 1-5 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Silverman (U.S. 2,151,621).

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Silverman discloses a clothes hanger structure (Figure 1) having two arms 16 designed to support a garment and hanging means (21, 22) fixed to the arms. The hanging means (21, 22) comprises a stem 24 fixed in a seat (see cross-section in Figure 2) of the structure wherein the seat is provided with means of engagement (i.e., frictional contact due to the surface of elements 21, 22) of at least a portion of the stem 24. The stem can be positioned in at least two positions, extended and retracted.

With regard to claim 2, the seat is provided at the centerline of the structure.

With regard to claim 3, a portion of the stem 24 comprises at least one expansion 25.

With regard to claim 4, the seat is a hole.

With regard to claim 5, the hole is provided with an upper toroidal cavity (i.e., donut shape) and a lower toroidal cavity (Figures 1 and 2).

With regard to claim 18, the hanging means 23 is a hook.

***Allowable Subject Matter***

6. Claims 6-17 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

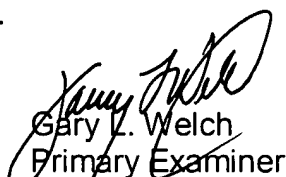
**Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Samuelsson '334, Brorson et al. '100, Platti '599, Mole et al. '190 and Timbrook '237 disclose various clothes hangers having adjustable hooks.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary L. Welch whose telephone number is (571) 272-4996. The examiner can normally be reached on Mon-Fri 5:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John J. Calvert can be reached on (571) 272-4983. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Gary L. Welch  
Primary Examiner  
Art Unit 3765

glw